

UNITED STATES DISTRICT COURT

for the

J HON LORR MIDDLE District of PA

FILED
SCRANTON

SEP 30 2020

Division

Case No.

PER

DEPUTY CLERK

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

LET BAYLOR; GARRY HANDLE;
SGT. ARMOND, et al.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

* CLASS ACTION...

* JURY TRIAL DEMAND...

CLASS ACTIONCOMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

All other names by which
you have been known:

ID Number

Current Institution

Address

CRAIG ALFORD; JUSTINE BOBE; CHRISTOPHER
J. KLEMENT; MIGUEL ROSARIO; THOMAS WOLF;
DANALON WEBSTER; LUIS MESA...
MONROE COUNTY CORRECTIONAL FACILITY/
4250 MAJOR DRIVE
STRAUBURG PA 18360
City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (*if known*)

Shield Number

Employer

Address

GARRY NAIDLE
WARDEN
N/A
MONROE COUNTY CORRECTIONAL FACILITY/
4250 MAJOR DRIVE
STRAUBURG PA 18360
City State Zip Code

☒ Individual capacity ☒ Official capacity

Defendant No. 2

Name

Job or Title (*if known*)

Shield Number

Employer

Address

MR. ARMOND
SGT.
N/A
MONROE COUNTY CORRECTIONAL FACILITY/
4250 MAJOR DRIVE
STRAUBURG PA 18360
City State Zip Code

☒ Individual capacity ☒ Official capacity

Defendant No. 3

Name

LEA BAYLOR

Job or Title (if known)

DIRECTOR

Shield Number

N/A

Employer

M.C.C.F.

Address

4250 MAJOR DRIVE

STRAUNSBURG

City

PA

State

18360

Zip Code



Individual capacity



Official capacity

Defendant No. 4

Name

GEORGE WARDEN

Job or Title (if known)

CLERK

Shield Number

N/A

Employer

MONROE COUNTY COURTHOUSE

Address

610 MONROE ST.

STRAUNSBURG

City

PA

State

18360

Zip Code



Individual capacity



Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

THESE OFFICIALS ACTED UNDER COLOR OF STATE LAW AND HAVE THE DELIBERATE INDIFFERENCE RESULTING IN EXCESSIVE CONFISCATION OF A LIBERTY INTEREST IN BEING RELEASED AT THE STATUTORY DUE PROCESS, AND EIGHT ADMISSIBLE CLAIMS, FALSE IMPRISONMENT CLAIMS, DEPRIVATION OF CONSTITUTIONAL LIBERTY, STATUTORY RIGHTS VIOLATED (C)

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

PA-R.C.P.M.P.
\$600 BU
(BXU2)
PA-R.C.P.M.P.
\$571

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

LEA BAYLOR; GARRI HANDLE; SGT. ARMOND; GEORGE WARDEN. HIS DEPRIVED PLAINTIFF'S OF OUR RIGHTS AND IMMUNITIES SECURED BY THE CONSTITUTION AND WHO ARE LIABLE TO THE INJURED PARTY IN A ACTION AT LAW AS WE SEEK REDRESS FOR THIS "EXCESSIVE CONFIDENCE" ALL WHILE ACTING IN THEIR INDIVIDUAL/OFFICIAL CAPACITIES WHILE EXERCISING HIS/HER RESPONSIBILITY PURSUANT TO STATE LAW OR TO THE PERFORMABLE OF HIS DUTY TO BE UNDER COLOR OF LAW AND FAILED TO ACT WITHIN STATE STATUTES AND THE BETH THIS WITH AMEND...

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☒ Pretrial detainee — ALL ...
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

N/A

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

THE EVENT GAVE RISE TO CLAIMS WITHIN THIS INSTITUTIONAL HAPPENED AT MONROE COUNTY CORRECTIONAL FACILITY AND MONROE COUNTY COURTHOUSE ARISING FOR MEDINA JUNE, 2019; ALFORD 7.9.20; 7.9.20 WEBSTER; ROSARIO MAY/2018 8.20; 8/2019 KLEMENT; 9.2019 WOLFE; (NOTE 10/2018 (ALL WHILE CONFINED AT M.C.C.F. - PRETRIAL INCARCERATION UNTIL THE CURRENT DATE...) WITH INFORMATION OR COMPLAINT FILED...

C. What date and approximate time did the events giving rise to your claim(s) occur?

MEINLA TIME EXPIRED JUNE, 2019; ALFORD TIME EXPIRED 7.9.20; WEBSTER TIME EXPIRED 7.9.20; ROSARIO TIME EXPIRED MAY, 2020; LORA TIME EXPIRED 2, 2020; KLEINER TIME EXPIRED 8, 2019; WOLFE TIME EXPIRED 9, 2019; COOTE TIME EXPIRED 10, 2018 (TIMES VARY)

Cont... D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

LET BAYLOR; GARRY HANDLE; SGT. ARMON; AND GEORGE WARDEN HAS ACTED UNDER COLOR OF STATE LAW WITH DELIBERATE INDIFFERENCE TO A LIBERTY INTEREST RESULTING IN EXCESSIVE CONFINEMENT OF EACH PLAINTIFF RESULTING IN CRUEL AND USUAL PUNISHMENT AND VIOLATION OF DUE PROCESS AND VIOLATION OF STATE STATUTES (SPECIFICALLY PA. RULES OF CRIMINAL PROCEDURE (2020 THOUSAND DOLLARS) \$600(B)(1)(2) FOR PLAINTIFF ROSARIO, LORA, COOTE, KLEINER, AND WOLFE; \$600(B)(5)(D)(1)(2) FOR PLAINTIFF MEINLA; PA. R. CRIM. P. § 571(A)(B)(C) ... THAT BAYLOR, HANDLE, AND SGT. ARMON KNEW OR KNOW - (HAD KNOWLEDGE OF PRISONERS PROBLEMS, THUS, KNOWLEDGE OF

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive. (Emotionally DISTRESS)

THE DAMAGES RECOVERABLE FOR LOSS OF LIBERTY FOR THE PERIOD SPENT IN UNWARRANTED CONFINEMENT ARE SEPARABLE FROM DAMAGES RECOVERABLE FOR SUCH INJURIES AS PSYCHIC HARM, EMBARASSMENT OR EMOTIONAL SUFFERING; THAT ABSOLUTE SUCH OTHER INJURIES IN AMOUNT OF SEVEN THOUSAND DOLLARS MAY BE APPROPRIATE SIMPLY FOR SEVERAL MONTHS LOSS OF LIBERTY (SEE KERNAL V. CITY OF N.Y. 374 F.3d 93, 125 (FALSE IMPRISONMENT PLAINTIFFS MAY CLAIM COMPENSATORY FOR LOSS OF TIME, PHYSICAL DISCOMFORT OR INCONVENIENCE - SEE RANDALL V. PRINCE GEORGE COUNTY, 302 F.3d 188, 209

VI. Relief FOR DEFENDANTS TO PAY FOR SUIT... AND TO STOP VIOLATING RULES / CONSTITUTION

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes.

If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims. (CAN DO TO EXCESSIVE CONFINEMENT)

- 1) PLAINTIFF LUIS MEINLA SEEK \$1000 PER DAY IN COMPENSATORY AND PUNITIVE DAMAGES FROM JUNE, 2019 FOR BTH, WITH AMENDS VIOLATION AND VIOLATION OF PA. R. CRIM. P. § 600(B)(5)(D)(1)(2) (D)(1)(2) ARE PENALTIES HE Sought...
- 2) PLAINTIFFS COOTE AND KLEINER SEEKS \$1000 PER DAY IN COMPENSATORY AND PUNITIVE DAMAGES FROM 10, 2018 FOR BTH, WITH AMENDS VIOLATION AND VIOLATION OF PA. R. CRIM. P. § 600(B)(5)(D)(1)(2) (D)(1)(2) ARE PENALTIES HE Sought...
- 3) PLAINTIFF WOLFE SEEKS \$1000 PER DAY IN COMPENSATORY AND PUNITIVE DAMAGES FROM 9, 2019 FOR BTH, WITH AMENDS VIOLATION AND VIOLATION OF PA. R. CRIM. P. § 600(B)(5)(D)(1)(2) (D)(1)(2) ARE PENALTIES HE Sought...

IV. STATEMENT OF CLAIM (D):

UNWARRANTED PUNISHMENT WAS BEING, OR WOULD BE, INFLECTED... EACH DEFENDANT FAILED TO ACT ONCE THEY WERE NOTIFIED OF SUCH SERIOUS CONSTITUTIONAL VIOLATION AND THE SERIOUSNESS OF VIOLATION OF THE PA.E.CRM.P. AND TOOK ONLY INEFFECTUAL ACTION UNDER THE CIRCUMSTANCES INDICATING THAT HE OR HER RESPONSE TO THE PROBLEM WAS A PRODUCT OF NEGLIGENT INDIFFERENCE TO PLAINTIFFS RIGHT... AND EACH PLAINTIFF HAS FILED A GRIEVANCE WITH SGT. ARMAH, LEO BAYLOR, AND GARRY HADGE (PRISON OFFICERS) WHO DID NOTHING BUT RUBBIE-STAMP THEIR REPLY TO OUR COMPLAINT TO EACH PLAINTIFF... PLAINTIFFS HAS FILED WITH GEORGE WARREN A QUESTION OF CONSTITUTIONALITY OF STATE RETRADE THAT'S AFFECTING THE PUBLIC INTEREST AND REQUESTED GEORGE WARREN TO CERTIFY SUCH TO THE ATTORNEY GENERAL (HARRISBURG, PA) FOR ARGUMENT A QUESTION OF STATE LAW PURSUANT TO 28 U.S.C. § 2403(b) WITH MANDATORY LANGUAGE AS SHALL AND BETWEEN ALL THESE AUTHORITIES (DEFENDANTS) CHARGE CONSPIRACY TO DEPRIVE OF RIGHTS BY STATE LAW AND THE U.S. CONSTITUTION AND EACH RESPONSE OR NO REPLY AT ALL TO THE PROBLEM AND THE INFLECTION OF THE UNJUSTIFIED DETENTION (SAMPLE V. DICKS, 885 F.2d AT 1108-09) THEY KNOW OR KNOW WHAT THEY WERE WRONG AS THE LAW STATES:

1) LUIS MEDINA, BY REMAINS FOR JUNE, 2019 TRAIL TERM PA.E.CRM.P. § 600(B)(5)(D)(1) HAS BEEN VIOLATED FROM JUNE, 2019 UNTIL CURRENT DATE AUTHORIZES THESE DEFENDANTS WITH MANDATORY LANGUAGE AS (SHALL) "NO DEFENDANT 'SHALL' BE HELD IN PRETRIAL CONFINEMENT (IMPRISONMENT) IN EXCESS OF (35) 120 DAYS" WARRANTING A REMEDY PURSUANT TO PA.E.CRM.P. § 600(D)(2)

2) PLAINTIFFS WOLFE; ROSARIO; LORT; KLEMENT; AND COOTE RIGHTS HAS BEEN VIOLATED @ PA.R.CRM.P. §600(B)(1) THAT "NO DEFENDANT 'SHALL' BE HELD IN PRETRIAL INCARCERATION IN EXCESS OF (B)(1) 180 DAYS."

(a) WOLFE PRETRIAL INCARCERATION BEGIN 3, 2019
WHEREFORE, THE LATEST A TRIAL COULD OF BEEN CONDUCTED WAS 9, 2019...

(b) ROSARIO PRETRIAL INCARCERATION BEGIN 12, 2019
WHEREFORE, THE LATEST A TRIAL COULD OF BEEN CONDUCTED WAS 6, 2020

(c) KLEMENT PRETRIAL INCARCERATION BEGIN 2, 2019
WHEREFORE, THE LATEST A TRIAL COULD OF BEEN CONDUCTED WAS 8, 2019

(d) LORT WAS IN PRETRIAL INCARCERATION BEGIN 2, 2020
WHEREFORE, THE LATEST A TRIAL COULD OF BEEN CONDUCTED WAS 8, 2020

(e) COOTE PRETRIAL INCARCERATION BEGIN 4, 2019
WHEREFORE, THE LATEST A TRIAL COULD OF BEEN CONDUCTED WAS 10, 2018

WARRANTING A REMEDY PURSUANT TO PA.R.CRM.P. §600 (D)(1)(2)

3) PLAINTIFF ALFORD AND WEBSTER RIGHTS HAS BEEN VIOLATED @ PA.R.CRM.P. §57(A) THAT "ARRAIGNMENT 'SHALL' TAKE PLACE NO LATER THAN 10 DAYS AFTER THE INFORMATION HAS BEEN FILED..."

(a) ALFORD ARRAIGNMENT SHOULD OF BEEN CONDUCTED FROM 6-29-20 WHEN INFORMATION FILED SO THE LATEST WOULD OF BEEN 7-9-20 (10 DAYS)

(b) WEBSTER ARRAIGNMENT SHOULD OF BEEN CONDUCTED FROM 6-29-20 WHEN INFORMATION FILED SO THE LATEST WOULD OF BEEN 7-9-20 (10 DAYS)

ALL WHICH EXPIRES WITHOUT GOOD CAUSE FOR ANY CIRCUMSTANCES...

EACH DEFENDANT HAS BEEN NOTIFIED OF THIS UNJUSTIFIED DETENTION AND PRISON OFFICIALS JUST SIT ON THEIR BUTTS AND NOT DO ANYTHING, GEORGE WARDEN NOT DOING ANYTHING, WHAT THESE RULES AUTHORIZES THEM TO DO A DUTY TO PLAINTIFFS RESULTED IN ~~EXCESSIVE~~ EXCESSIVE CONFINEMENT CITING OVIATT BY AND THROUGH WAUGH V. PERCE, 954 F.2d 1470, 1475 (9th Cir. 1992) (LIBERTY INTERESTS WERE CREATED BY STATE STATUTES (HERE PA.R.C.R.M.P. 600(B)(1)(B)(D)(1)(2) AND PA.R.C.R.M.P. § 57(A)(B)(C)) REQUIRING RELEASE OF DETAINÉES AFTER 120 DAYS MEDINA, 180 DAYS WOLFE, KIEBLE, LORA, ROSARIO, AND COOTE, 10 DAYS ALFORD AND WEBSTER WITHOUT TRIAL OR APPOINTMENT) RESULTED IN A DUE PROCESS AND EQUIT PROTECTED CLAUSE VIOLATION (14TH AMENDMENT) AND DELIBERATE VIOLATION OF EXCESSIVE CONFINEMENT RESULTING IN FALSE IMPRISONMENT AND DEFENDANTS HANDLE, BAYLOR, ALMOND, AND WARDEN FAILURE TO ACT ON WHAT THEY HAVE NOTICE AND KNOWLEDGE OF VIOLATES THE 8TH AMENDMENT OF THE U.S. CONSTITUTION.. (SEE ALEXANDER V. PERRY, 916 F.2d 1392, 1395 (9th Cir. 1991) (YOU "PRISON OFFICIALS" CAN'T JUST SIT ON YOUR BUTTS AND NOT DO ANYTHING)... THESE DEFENDANTS INTENDED TO CONFINED, WE PLAINTIFFS ARE CONSCIOUS OF THE CONFINEMENT, PLAINTIFFS DO NOT CONSENT TO THE CONFINEMENT (SOUGHT REDRESS BY GRIEVANCE AND BY WAY OF MOTION TO 28 U.S.C. § 2408(b)) THE CONFINEMENT WAS, AND THIS CONFINEMENT WAS NOT LEGALLY PRIVILEGED (ALSO SEE TURNER V. CITY OF TAYLOR, 412 F.3d 1629, 642) AND HAYES V. FAULKNER COUNTY APR. 2008 F.3d 669, 673-74 CITING STUPPE V. DICKS, 885 F.2d 1112, 1115, 1118) WHICH RAISES SERIOUS CONSTITUTIONAL QUESTIONS UNDER THE DUE PROCESS CLAUSE

CONTINUATION FROM VI RELIEF

- 4) PLAINTIFF POSARIO SEEKS \$1000 PER DAY IN COMPENSATORY AND PUNITIVE DAMAGES FROM 5, 2020 FOR 8TH, 14TH AND VIOLATIONS AND VIOLATION OF P.A.P. CRIM. P. \$600 (B)(1)(D)(1)(2) ((D)(1)(2) ARE PENALTIES HE SOUGHT)
- 5) PLAINTIFF LORA SEEKS \$1000 PER DAY IN COMPENSATORY AND PUNITIVE DAMAGES FROM 8, 2020 FOR 8TH, 14TH AND VIOLATIONS AND VIOLATION OF P.A.P. CRIM. P. \$600 (B)(1)(D)(1)(2) ((D)(1)(2) ARE PENALTIES HE SOUGHT)
- 6) PLAINTIFF KLEINER SEEKS \$1000 PER DAY IN COMPENSATORY AND PUNITIVE DAMAGES FROM 8, 2019 FOR 8TH, 14TH AND VIOLATIONS AND VIOLATION OF P.A.P. CRIM. P. \$600 (B)(1)(D)(1)(2) ((D)(1)(2) ARE PENALTIES HE SOUGHT)
- 7) PLAINTIFFS ALFORD AND WISSEER SEEKS \$1000 PER DAY FROM 7.9.20 FOR 8TH AND 14TH AND VIOLATIONS AND VIOLATION OF P.A.P. CRIM. P. \$571 (A)(B)(C)

NOTE:

THIS IS NOT A RELIEF SEEKING
RELEASE OF CUSTODY; JUST FOR
DAMAGES OF THESE DEFENDANTS
INENTIONALLY VIOLATIONS OR
CONSTITUTIONAL RIGHTS AND NOT
FOLLOWING THE RULES OF THE
COURT RESULTING IN EXCESSIVE
CONFINEMENT OF PLAINTIFFS -
PRE-TRIAL DETENTION... WE
DO NOT WANT MONROE COUNTY JAIL
NOT CONFINEMENTS DEFENDANTS..

* TO PAY COST AND FEES ASSOCIATED WITH THIS CASE.
* SEEKING RELIEF FROM THE DAY THESE DEFENDANTS
KNEW OR KNEW OF VIOLATION OF OUR RIGHTS..

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Monroe County Correctional Facility (CA)

- B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

- C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

ALL CLAIMS; (8th AND 14TH AMENDMENT VIOLATIONS; VIOLATIONS OF P.R.C.M.P. §600(B)(1)(E); ALL P.R.C.M.P. §571(B)(C)

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

E. If you did file a grievance:

1. Where did you file the grievance?

MONROE COUNTY CORRECTIONAL FACILITY
4250 MONROE DRIVE
STRAUSSBURG, PA 18360

2. What did you claim in your grievance?

THAT OUR CONFINEMENT IS EXCESSIVE RESULTING
IN FALSE IMPRISONMENT IN VIOLATION OF 8TH AND
14TH AMENDMENT AND PA - R. CRIM. P. §600(B)(1)(5)
(D)(1)(2)

3. What was the result, if any?

VALENTY: SEEN YOUR LETTER WITH SET. ARMOND
DOLAN BY HODGE - WARDEN

RUBBER-STAMP ON LETTER REPLY TO AD...

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

APPEAL TO HIGHEST LEVEL; GRIEVANCE
PROCESS COMPLETED (SEE ENCLOSURE
EXHIBIT "A")

WARDEN HADGE IS THE FINAL STEP
IN THE GRIEVANCE PROCEDURES. ALL
PLAINTIFFS GETTING THE RUBBER
STAMP REPLY...

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

N/A

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

INFORMED GEORGE WARD AND CEA BAYLOR
BY WAY OF MOTIONS TO BE FORWARDED TO
THE ATTORNEY GENERAL (CERTIFIED) PURSUANT
TO 28 U.S.C. § 2403(b) - QUESTION OF LAW -

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

OTHER PRISONERS WHO FILED THEIR GRIEVANCES
EITHER WAITED MONTHS FOR A GRIEVANCE OR
HAD TO FILE TO REPLY BUT THERE RUBBER-STAMPED
THEIR REPLY

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

EXHIBIT 'A' ATTACHED

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

☐ Yes☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

* All Plaintiffs - Signed

Date of signing:

9. 10. 20

Miguel Roden #29190001113

Signature of Plaintiff's

THOMAS LORA

Printed Name of Plaintiff

ALFONSO MEDINA, WEBSTER, KLEMENT, COATE, WOLFE, ROSARIO, LORA

Prison Identification #

ALFONSO #941066, MEDINA #000147, WEBSTER #00000042, KLEMENT #10406095, WOLFE #9909022, LORA #20181000908

Prison Address

4250 MAJOR DRIVE,

COATE 201205070, ROSARIO #

SPRINGBURG

PA

18300

City

State

Zip Code

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

Monroe County Correctional Facility

Inmate Grievance Form

Inmate's Name: Justin Cooke OCA# 201205076
 Date Grievance requested 8/26 Date Grievance given to inmate 8/26/2020
 Grievance Tracking Number 2020-G-0085
 Completed grievance received by Grievance Coordinator on _____

Inmate Filing Grievance:

Complete Parts I and II of this form using clear, specific and brief statements. Attach any request slips which will verify your attempt to resolve this issue with correctional staff and/or supervisors.

Part I: State your grievance clearly. If you need more space attach a separate sheet of paper.

My confinement is in violation of the United States Constitution
stemming from a charge in 2014, my arrest 12.18, and pursuant
to the 6th Amendment / 14th Constitutional / State statute of Pa. E. (R. P.
\$1000 I should be discharge from confinement which results
in excessive confinement also violating 8th and 14th Amendment.

Part II: Action or relief requested.

to be immediately discharged as my parole terms are finished;
\$1000 per day from 6/19 until current date...

Certification: I submit this grievance in good faith, having exhausted all other remedies and without the intent to harass. I affirm that all statements I have given are true and correct. I understand that I have guarantee against reprisal but also understand that I may face disciplinary action if I have filed this grievance under false pretenses or intentionally made false statements.

Justin Cooke
 Inmate's Signature

Justin Cooke
 Inmate Print Name

Grievance Response – Step 1

Answered by Sgt. Arnold Date: 8/30/2020

See your legal team

I, Inmate _____ do not agree with the response in Step 1 and would like this grievance to be sent to the final grievance step.

I understand the Final Step, answered by the Warden/designee is the final step in the grievance process and shall be considered final.

Justin Cooke
 Inmate Signature

Justin Cooke 8-30-2020
 Print name and date

Grievance Response – Final Step

Answered by Warden Warden Hinkle Date: 9/6/2020

The Facility will pursue for the costs until Trans or Cont action can be taken.
You need to pursue this with your attorney.

[Signature]

Monroe County Correctional Facility**Inmate Grievance Form**

Inmate's Name: _____ OCA # _____

Date Grievance requested _____ Date Grievance given to inmate _____

Grievance Tracking Number _____

Completed grievance received by Grievance Coordinator on _____

Inmate Filing Grievance:

Complete Parts I and II of this form using clear, specific and brief statements. Attach any request slips which will verify your attempt to resolve this issue with correctional staff and/or supervisors.

Part I: State your grievance clearly. If you need more space attach a separate sheet of paper.

I, [Inmate Name], am filing this grievance against [Staff Name/Title] on [Date] regarding [Description of Grievance]. I have attempted to resolve this issue with the staff and supervisors but have been unsuccessful.

Part II: Action or relief requested.

I request that [Staff Name/Title] be removed from my cell and that I be transferred to a different cell. I also request that I be compensated for the time and effort spent on this grievance.

Certification: I submit this grievance in good faith, having exhausted all other remedies and without the intent to harass. I affirm that all statements I have given are true and correct. I understand that I have guarantee against reprisal but also understand that I may face disciplinary action if I have filed this grievance under false pretenses or intentionally made false statements.

Inmate's Signature _____

Inmate Print Name _____

Grievance Response — Step 1

Answered by _____ Date: _____

See [Inmate Name] for [Description of Response].

I, Inmate _____ do not agree with the response in Step 1 and would like this grievance to be sent to the final grievance step.

I understand the Final Step, answered by the Warden/designee is the final step in the grievance process and shall be considered final.

Inmate Signature _____

Print name and date _____

Grievance Response — Final Step

Answered by Warden _____ Date: _____

[Blank lines for final response]

Golden rod copy kept by inmate prior to original submission

Pink copy kept by inmate if submitted to Final Step

Upon final response yellow copy to grievance file, white copy to inmate

Monroe County Correctional Facility

Inmate Grievance Form

Inmate's Name: Craig Alford OCA # 9411066
 Date Grievance requested 8/21/2020 Date Grievance given to inmate 8/4/2020
 Grievance Tracking Number 2020-L-0081
 Completed grievance received by Grievance Coordinator on _____

Inmate Filing Grievance:

Complete Parts I and II of this form using clear, specific and brief statements. Attach any request slips which will verify your attempt to resolve this issue with correctional staff and/or supervisors.

Part I: State your grievance clearly. If you need more space attach a separate sheet of paper.

Pursuant to THE "BOTH AND WITH" Amendment of THE CALIFORNIA STATE
CONSTITUTION I'M STATING VIOLATIONS OF SUCH HAS RESULTED IN MY
"EXCESSIVE CONFINEMENT" OF A PRISONER WITH "LIBERTY INTEREST" AND I
SEE VIOLATION OF P.A.R.C.R.M. P. 837(A) CITING OVI ACT BY AND THROUGH
WAUGH V. FALCE, 1954 F.2d 1470, HAS STATE STATUTES REQUIRING RELEASE

Part II: Action or relief requested. DATE OF DUE PROCESS

THE U.S. AND ATTORNEY GENERAL'S OF SEVERAL CONDUCTED WITH ON
7-9-20 FROM WHAT INFORMATION WAS FILED 6-29-20 CITING P.A.R.C.R.M. P. 837A
10 DAYS TO APPEARANCE WHEREFORE DUE TO THIS CRUEL AND
CRUEL PUNISHMENT REQUESTING PROCEED BY FROM 7-9-20 WITH I

Certification: I submit this grievance in good faith, having exhausted all other remedies and without being
 the intent to harass. I affirm that all statements I have given are true and correct. I understand that I RECEIVED
 have guarantee against reprisal but also understand that I may face disciplinary action if I have filed this
 grievance under false pretenses or intentionally made false statements.

Craig Alford
 Inmate's Signature

CRAG ALFORD 8-20-20
 Inmate Print Name

Grievance Response -- Step 1

Answered by Ed Arnold Date: 8/30/2020

See your legal team

I, Inmate CRAG ALFORD do not agree with the response in Step 1
 and would like this grievance to be sent to the final grievance step.

I understand the Final Step, answered by the Warden/designee is the final step in the
 grievance process and shall be considered final.

Craig Alford CRAG ALFORD 8-30-20
 Inmate Signature Print name and date

Grievance Response -- Final Step

Answered by Warden Warden Norville Date: 9/9/2020

The Facility holds persons per the courts until more or court
Action can be taken. You need to pursue this with your attorney

[Signature]

Monroe County Correctional Facility

Inmate Grievance Form

Inmate's Name: Howard Wolfe OCA # 9909622
 Date Grievance requested 8/10 Date Grievance given to inmate 9/8/2020
 Grievance Tracking Number 2020-C-0095
 Completed grievance received by Grievance Coordinator on _____

Inmate Filing Grievance:

Complete Parts I and II of this form using clear, specific and brief statements. Attach any request slips which will verify your attempt to resolve this issue with correctional staff and/or supervisors.

Part I: State your grievance clearly. If you need more space attach a separate sheet of paper.

PURSUANT TO THE 8TH & 14TH AMENDMENT OF THE UNITED STATES CONSTITUTION I AM STATING
VIOLATION OF SUCH HAS RESULTED IN MY "EXCESSIVE CONFINEMENT" OF A PRISONER WITH A
"LIBERTY INTEREST" AND SITE VIOLATION OF PA. R. CRIM. P.S. 600(B)(1)(D)(1)(2) CHING
WANT BY AND THROUGH WARDEN V. PEARCE, 954 F.2d 1470, 1475 STATE STATUTES
REQUIRING RELEASE FOR DENIAL OF DUE PROCESS. (ALSO) SEE ATTACHED
"ARREST"

Part II: Action or relief requested.

I WAS CONFINED 3-21-19 TO THE LATEST A TRIAL COURT OF PENN CONDUCTED WAS
9-21-19 CHING RULE GOOD WHEREAS FROM 9-21-19 UNTIL CURRENT DATE, I
WANT \$1000.00 PER DAY FOR THIS CRUEL AND UNUSUAL PUNISHMENT, WHERE AT 181 DAYS I
WAS TO HAVE A NOMINAL BAIL, SEEKING DISMISSAL OF CHARGES.

Certification: I submit this grievance in good faith, having exhausted all other remedies and without the intent to harass. I affirm that all statements I have given are true and correct. I understand that I have guarantee against reprisal but also understand that I may face disciplinary action if I have filed this grievance under false pretenses or intentionally made false statements.

Inmate's Signature

Inmate Print Name

Grievance Response – Step 1

Answered by Howard Wolfe Date: 9/16

Speak to your legal team

I, Inmate Howard S. Wolfe do not agree with the response in Step 1 and would like this grievance to be sent to the final grievance step.

I understand the Final Step, answered by the Warden/designee is the final step in the grievance process and shall be considered final.

Inmate Signature

Print name and date

Grievance Response – Final Step

Answered by Warden Warden Hinkle Date: 9/16/2020

There is no issue, the facility holds individuals per the
Counts

Golden rod copy kept by inmate prior to original submission

Pink copy kept by inmate if submitted to Final Step

Upon final response yellow copy to grievance file, white copy to inmate

Monroe County Correctional Facility

Inmate Grievance Form

Inmate's Name: Damon Webster OCA# 2020-0006426
 Date Grievance requested 9/10 Date Grievance given to inmate 9/16
 Grievance Tracking Number 2020-C-0100
 Completed grievance received by Grievance Coordinator on _____

Inmate Filing Grievance:

Complete Parts I and II of this form using clear, specific and brief statements. Attach any request slips which will verify your attempt to resolve this issue with correctional staff and/or supervisors.

Part I: State your grievance clearly. If you need more space attach a separate sheet of paper.

PURSUANT TO THE 8TH AND 14TH AMENDMENT OF THE UNITED STATES CONSTITUTION I'M STATING VIOLATIONS OF SUCH HAS RESULTED IN MY "EXCESSIVE CONFINEMENT" OF A PRISONER (PRETRIAL DETAINEE) WITH A 'LIBERTY/INTEREST' AND I SEE VIOLATION OF P.A.R.C.M. P. § 571(A) CITING OVIAT BY AND THROUGH WAUGH V. PEARLE, 1954 F.2d 1470, 1475 STATE STATUTES REQUIRING RELEASE FOR DUAL

Part II: Action or relief requested. OF DUE PROCESS...

THE LATEST AR ARRAIGNMENT COULD OF BEEN CONDUCTED WAS 7.9.20 FROM WHEN INFORMATION WAS FILED 6.29.20 CITING P.A.R.C.M. P. § 571 (10 DAYS TO ARRAIGNMENT) WHEREFORE DUE TO THIS CRUEL AND UNUSUAL PUNISHMENT I'M REQUESTING \$1000 PER DAY FROM 7.9.20 WHEN I SHOULD OF BEEN RELEASED...

Certification: I submit this grievance in good faith, having exhausted all other remedies and without the intent to harass. I affirm that all statements I have given are true and correct. I understand that I have guarantee against reprisal but also understand that I may face disciplinary action if I have filed this grievance under false pretenses or intentionally made false statements.

D. Webster
Inmate's Signature

Damon Webster 9/16/20
Inmate Print Name

Grievance Response – Step 1

Answered by Sgt. Arnold Date: 9/17/2020

See your legal team

I, Inmate _____ do not agree with the response in Step 1 and would like this grievance to be sent to the final grievance step.

I understand the Final Step, answered by the Warden/designee is the final step in the grievance process and shall be considered final.

D. Webster
Inmate Signature

Damon Webster
Print name and date

Grievance Response – Final Step

Answered by Warden Wardenside Date: 9/16/2020

This is a court issue, the facility holds individuals per the courts

Golden rod copy kept by inmate prior to original submission

Pink copy kept by inmate if submitted to Final Step

Upon final response yellow copy to grievance file, white copy to inmate

Monroe County Correctional Facility

Inmate Grievance Form

Inmate's Name Luis Medina OCA # 2015-0000159
 Date Grievance requested 8/29 Date Grievance given to inmate 8/30/2020
 Grievance Tracking Number 2020-6-0094
 Completed grievance received by Grievance Coordinator on _____

Inmate Filing Grievance:

Complete Parts I and II of this form using clear, specific and brief statements. Attach any request slips which will verify your attempt to resolve this issue with correctional staff and/or supervisors.

Part I: State your grievance clearly. If you need more space attach a separate sheet of paper.

Pursuant to P.A.P. (P.M.P. § 600(B)(5)) I was a TRUCK DRIVER
SEE PAR 6-2019, THE LATEST TRUCK DRIVER
CONSULTED ON REMAINS LATE OCT. 2019 RESULTED IN MY
EXCESSIVE CALIFORNIA VIOLATION OF THE P.A.P. (P.M.P. § 600(B)(5))
THE BENCH HAS NOT AGREEMENTS OF THE U.S. CONSTITUTION...

Part II: Action or relief requested.

TO BE IMMEDIATELY RELEASED FROM THIS UNJUSTIFIED
CONFINEMENT, \$1000 PER DAY FROM OCT. 2019 UNTIL CURRENT
DATE CREDIT \$600(B)(5) VIOLATIONS AS WELL

Certification: I submit this grievance in good faith, having exhausted all other remedies and without the intent to harass. I affirm that all statements I have given are true and correct. I understand that I have guarantee against reprisal but also understand that I may face disciplinary action if I have filed this grievance under false pretenses or intentionally made false statements.

Luis Medina
 Inmate's Signature

Luis MEDINA
 Inmate Print Name

Grievance Response – Step 1

Answered by Sgt. Arnd Date: 9/4/2020
Speak to your legal team

I, Inmate Luis Medina do not agree with the response in Step 1 and would like this grievance to be sent to the final grievance step.

I understand the Final Step, answered by the Warden/designee is the final step in the grievance process and shall be considered final.

Luis Medina Luis Medina
 Inmate Signature Print name and date

Grievance Response – Final Step

Answered by Warden Warden Date: 9/17/2020
This is a court issue, the facility holds individuals
for the courts.

CRAIG ALFORD #741126
M.C.C.F.
4250 MAJOR DRIVE
STROUASBURG, PA 18360

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SEP 30 2020
PER ED
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MIDDLE DISTRICT OF PA
235 N. WASHINGTON AVENUE
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SCRANTON, PA 18501-1148